

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
DELTA DIVISION**

HAROLD HUTCHINS

PLAINTIFF

v.

Case No. 2:18-cv-00124-KGB

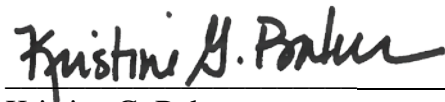
DIA LODGING LLC, *et al.*

DEFENDANTS

ORDER

Before the Court is a motion for nonsuit filed by plaintiff Harold Hutchins (Dkt. No. 37). Mr. Hutchins moves pursuant to Federal Rule of Civil Procedure 41(a)(2) to dismiss his cause of action against defendants without prejudice (*Id.*). Separate defendants Days Inn Worldwide, Inc., Wyndham Hotels and Resorts, LLC, and Wyndham Worldwide Operations, Inc. (“Wyndham Defendants”) filed a response and do not oppose Mr. Hutchins’ request (Dkt. No. 38). Separate defendant DIA Lodging, LLC, did not file a response to Mr. Hutchins’ motion, and the time to file a response passed. For good cause shown, the Court grants Mr. Hutchins’ motion for nonsuit (Dkt. No. 37). The Court dismisses Mr. Hutchins’ claims without prejudice (Dkt. No. 1). As a result, the Court deems moot the Wyndham Defendants’ motion for summary judgment (Dkt. No. 22).

It is so ordered this the 10th day of January, 2020.



Kristine G. Baker
United States District Judge